

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

v.

PABLO STALLINGS,

Defendant.

8:00CR212

ORDER

This matter is before the Court on defendant Pablo Stallings’s (“Stallings”) Motion for Compassionate Release (Filing No. 272) pursuant to 18 U.S.C. § 3582(c)(1)(A). That statute authorizes Stallings to move the Court to “reduce [his] term of imprisonment” for “extraordinary and compelling reasons” thirty days after asking the warden of the facility where he is incarcerated to file such a motion on his behalf. *See also United States v. Raia*, 954 F.3d 594, 595 (3d Cir. 2020). Stallings states he has met that requirement by making such a request on August 5, 2020. His request was marked “received” on August 17, 2020. More than thirty days have passed since that date and Stallings has not received a response to his request.

Upon initial review of Stallings’s motion and supporting materials, the Court finds he has potentially raised a colorable claim for a sentence reduction under § 3582(c)(1)(A)(i). Accordingly,

IT IS ORDERED:

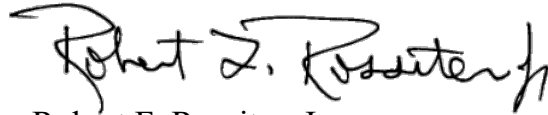
1. The U.S. Probation and Pretrial Services Office is directed to investigate Stallings’s request for sentencing relief and promptly file under seal a report summarizing the results of that investigation.
2. If necessary, the probation office is authorized to disclose Presentence Investigation Reports to the Federal Public Defender and the United States Attorney for the purpose of evaluating the motion. The Federal Public

Defender shall provide the Presentence Investigation Report to any subsequently appointed or retained counsel. In accordance with the policy of the Federal Bureau of Prisons, no Presentence Investigation Report shall be provided to inmates.

3. The government and Stalling's counsel shall each file within ten days of the probation office filing its investigation report a brief addressing Stalling's request for sentencing relief and provide any evidence necessary to the Court's disposition of his motion. Absent an extension or other request from the parties, the motion shall be deemed fully briefed and submitted as of that date.

Dated this 12th day of November 2020.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Robert F. Rossiter, Jr.", with a stylized flourish at the end.

Robert F. Rossiter, Jr.
United States District Judge